

FORM PTO-1390 (REV. 01-2003) TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. 371		US DEPARTMENT OF COMMERCE PATENT & TRADEMARK OFFICE	ATTORNEY'S DOCKET NUMBER 126402
INTERNATIONAL APPLICATION NO. PCT/EP2004/007344		INTERNATIONAL FILING DATE July 6, 2004	U.S. APPLICATION NO. (If known, see 37 CFR 1.5) New U.S. National Stage of PCT/EP2004/007344 10/564360
TITLE OF INVENTION DEGRADABLE BIOMATERIAL BLOCK COPOLYMER		PRIORITY DATE CLAIMED July 16, 2003	
APPLICANT FOR DO/EO/US Peter NEUENSCHWANDER			
Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:			
<p>1. <input checked="" type="checkbox"/> This is a FIRST submission of items concerning a filing under 35 U.S.C. 371.</p> <p>2. <input type="checkbox"/> This is a SECOND or SUBSEQUENT submission of items concerning a filing under 35 U.S.C. 371.</p> <p>3. <input type="checkbox"/> This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.</p> <p>4. <input checked="" type="checkbox"/> The US has been elected (Article 31).</p> <p>5. <input checked="" type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371(c)(2)) <ul style="list-style-type: none"> a. <input checked="" type="checkbox"/> is attached hereto (required only if not communicated by the International Bureau). b. <input type="checkbox"/> has been communicated by the International Bureau. c. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US). </p> <p>6. <input checked="" type="checkbox"/> An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)) <ul style="list-style-type: none"> a. <input checked="" type="checkbox"/> is attached hereto. b. <input type="checkbox"/> has been previously submitted under 35 U.S.C. 154(d)(4). c. <input type="checkbox"/> The International Application was filed in English. </p> <p>7. <input type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3)) <ul style="list-style-type: none"> a. <input type="checkbox"/> are attached hereto (required only if not communicated by the International Bureau). b. <input type="checkbox"/> have been communicated by the International Bureau. c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired. d. <input type="checkbox"/> have not been made and will not be made. </p> <p>8. <input type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).</p> <p>9. <input type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).</p> <p>10. <input type="checkbox"/> An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).</p>			
Items 11 to 20 below concern document(s) or information included:			
<p>11. <input type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98.</p> <p>12. <input type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.</p> <p>13. <input checked="" type="checkbox"/> A preliminary amendment.</p> <p>14. <input checked="" type="checkbox"/> An Application Data Sheet under 37 CFR 1.76.</p> <p>15. <input type="checkbox"/> A substitute specification.</p> <p>16. <input type="checkbox"/> A power of attorney and/or change of address letter.</p> <p>17. <input type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821 - 1.825.</p> <p>18. <input type="checkbox"/> A second copy of the published international application under 35 U.S.C. 154(d)(4).</p> <p>19. <input type="checkbox"/> A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).</p> <p>20. <input checked="" type="checkbox"/> Other items or information: International Search Report</p>			

U.S. APPLICATION NO. (if known, see 37 CFR 1.5) 10304560		INTERNATIONAL APPLICATION NO. PCT/EP2004/007344	ATTORNEY'S DOCKET NUMBER 126402
21. <input checked="" type="checkbox"/> The following fees are submitted:		CALCULATIONS PTO USE ONLY	
BASIC NATIONAL FEE (37 CFR 1.492(a)): \$ 300.00		\$300.00	
SEARCH FEE (37 CFR 1.492(b)(1)-(3)):		\$400.00	
International preliminary examination report or written opinion prepared by the USPTO as IPEA or ISA and favorable as to novelty, inventive step, and industrial applicability for all claims presented in the application entering the national stage \$ 0.00			
International search fee (37 CFR 1.445(a)(2)) paid to USPTO as ISA \$ 100.00			
International search report provided to USPTO no later than the time at which the search fee is paid \$ 400.00			
All situations not provided for above \$ 500.00			
EXAMINATION FEE (37 CFR 1.492(c)(1)-(2)):		\$200.00	
International preliminary examination report or written opinion prepared by the USPTO as IPEA or ISA and favorable as to novelty, inventive step, and industrial applicability for all claims presented in the application entering the national stage \$ 0.00			
All situations not provided for above \$ 200.00			
Surcharge of \$130.00 for furnishing the oath or declaration later than 30 months from the earliest claimed priority date (37 CFR 1.492(e)).		\$	
TOTAL PAGES OF APPLICATION OVER 100 (0 - 100)	0 ÷ 50	= 10	x 250 = \$0
rounded up to next integer			
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE
TOTAL CLAIMS	18 - 20	= 0	x 50.00 = \$0
INDEPENDENT CLAIMS	3 - 3	= 0	x 200.00 = \$0
MULTIPLE DEPENDENT CLAIM(S)(if applicable)		+ 360.00 = \$	
TOTAL OF ABOVE CALCULATIONS =		\$900.00	
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by $\frac{1}{2}$.		\$	
SUBTOTAL =		\$900.00	
Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(f)).		\$	
TOTAL NATIONAL FEE =		\$900.00	
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property +		\$	
TOTAL FEES ENCLOSED =		\$900.00	
		Amount to be refunded: \$	
		charged: \$	
a. <input checked="" type="checkbox"/> Check No. <u>175068</u> in the amount of <u>\$900.00</u> to cover the above fees is enclosed.			
b. <input type="checkbox"/> Please charge my Deposit Account No. _____ in the amount of \$ _____ to cover the above fees. A duplicate copy of this sheet is enclosed.			
c. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. <u>15-0461</u> . A duplicate copy of this sheet is enclosed.			
d. <input type="checkbox"/> Fees are to be charged to a credit card. WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.			
NOTE: Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.			
SEND ALL CORRESPONDENCE TO:			
OLIFF & BERRIDGE, PLC			
Customer Number: 25944			
Date <u>January 12, 2006</u>		 NAME: James A. Oliff REGISTRATION NUMBER: 27,075	
		NAME: Julie M. Seaman REGISTRATION NUMBER: 51,156	

Box No. V DESIGNATIONS

The filing of this request constitutes under Rule 4.9(a), the designation of all Contracting States bound by the PCT on the international filing date, for the grant of every kind of protection available and, where applicable, for the grant of both regional and national patents.

However,

- DE Germany is not designated for any kind of national protection
- KR Republic of Korea is not designated for any kind of national protection
- RU Russian Federation is not designated for any kind of national protection

(The check-boxes above may be used to exclude (irrevocably) the designations concerned in order to avoid the ceasing of the effect, under the national law, of an earlier national application from which priority is claimed. See the Notes to Box No. V as to the consequences of such national law provisions in these and certain other States.)

Box No. VI PRIORITY CLAIM

The priority of the following earlier application(s) is hereby claimed:

Filing date of earlier application (day/month/year)	Number of earlier application	Where earlier application is:		
		national application: country or Member of WTO	regional application: regional Office	international application: receiving Office
item (1) 16 July 2003	EP 03 016 148.3		EPA	
item (2)				
item (3)				

Further priority claims are indicated in the Supplemental Box.

The receiving Office is requested to prepare and transmit to the International Bureau a certified copy of the earlier application(s) (only if the earlier application was filed with the Office which for the purposes of this international application is the receiving Office) identified above as:

all items item (1) item (2) item (3) other, see Supplemental Box

*Where the earlier application is an ARIPO application, indicate at least one country party to the Paris Convention for the Protection of Industrial Property or one Member of the World Trade Organization for which that earlier application was filed (Rule 4.10(b)(ii)).

Box No. VII INTERNATIONAL SEARCHING AUTHORITY

Choice of International Searching Authority (ISA) (if two or more International Searching Authorities are competent to carry out the international search, indicate the Authority chosen; the two-letter code may be used):

ISA /EP

Request to use results of earlier search; reference to that search (if an earlier search has been carried out by or requested from the International Searching Authority):

Date (day/month/year) Number Country (or regional Office)
19, December 2003 EP 03 016 148 EPA

Box No. VIII DECLARATIONS

The following declarations are contained in Boxes Nos. VIII (i) to (v) (mark the applicable check-boxes below and indicate in the right column the number of each type of declaration):

		Number of declarations
<input type="checkbox"/> Box No. VIII (i)	Declaration as to the identify of the inventor	:
<input type="checkbox"/> Box No. VIII (ii)	Declaration as to the applicant's entitlement, as at the international filing date, to apply for and be granted a patent	:
<input type="checkbox"/> Box No. VIII (iii)	Declaration as to the applicant's entitlement, as at the international filing date, to claim the priority of the earlier application	:
<input type="checkbox"/> Box No. VIII (iv)	Declaration of inventorship (only for the purposes of the designation of the United States of America)	:
<input type="checkbox"/> Box No. VIII (v)	Declaration as to non-prejudicial disclosures or exceptions to lack of novelty:	:

Box No. IX CHECK LIST; LANGUAGE OF FILING

This international application contains:		This international application is accompanied by the following item(s) (mark the applicable check-boxes below and indicate in right column the number of each item):		Number of items																			
<p>(a) on paper, the following number of sheets:</p> <table> <tr><td>request (including declaration sheets)</td><td>: 3</td></tr> <tr><td>description (excluding sequence listings and/or tables related thereto)</td><td>: 20</td></tr> <tr><td>claims</td><td>: 3</td></tr> <tr><td>abstract</td><td>: 1</td></tr> <tr><td>drawings</td><td>: 2</td></tr> <tr><td>Sub-total number of sheets</td><td>: 29</td></tr> <tr><td>sequence listing</td><td>:</td></tr> <tr><td>tables related thereto (for both, actual number of sheets if filed on paper, whether or not also filed in electronic form; see (c) below)</td><td>:</td></tr> <tr><td>Total number of sheets</td><td>: 29</td></tr> </table> <p>(b) <input type="checkbox"/> only in electronic form (Section 801(a)(i)) (i) <input type="checkbox"/> sequence listing (ii) <input type="checkbox"/> tables related thereto</p> <p>(c) <input type="checkbox"/> also in electronic form (Section 801(a)(ii)) (i) <input type="checkbox"/> sequence listing (ii) <input type="checkbox"/> tables related thereto</p> <p>Type and number of carriers (diskette, CD-ROM, CD-R or other) on which are contained the</p> <table> <tr><td><input type="checkbox"/> sequence listing</td></tr> <tr><td><input type="checkbox"/> tables related thereto</td></tr> </table> <p>(additional copies to be indicated under item 9(ii) and/or 10(ii), in right column)</p>		request (including declaration sheets)	: 3		description (excluding sequence listings and/or tables related thereto)	: 20	claims	: 3	abstract	: 1	drawings	: 2	Sub-total number of sheets	: 29	sequence listing	:	tables related thereto (for both, actual number of sheets if filed on paper, whether or not also filed in electronic form; see (c) below)	:	Total number of sheets	: 29	<input type="checkbox"/> sequence listing	<input type="checkbox"/> tables related thereto	<ol style="list-style-type: none"> <input checked="" type="checkbox"/> fee calculation sheet <input type="checkbox"/> original separate power of attorney <input type="checkbox"/> original general power of attorney <input type="checkbox"/> copy of general power of attorney; reference number, if any: <input type="checkbox"/> statement explaining lack of signature <input type="checkbox"/> priority document(s) identified in Box No. VI as item(s): <input type="checkbox"/> translation of international application into (language): <input type="checkbox"/> separate indications concerning deposited microorganism or other biological material <input type="checkbox"/> sequence listing in electronic form (indicate type and number of carriers) <ol style="list-style-type: none"> <input type="checkbox"/> copy submitted for the purposes of international search under Rule 13ter only (and not as part of the international application) <input type="checkbox"/> (only where check-box (b)(i) or (c)(i) is marked in left column) additional copies including, where applicable, the copy for the purposes of international search under Rule 13ter <input type="checkbox"/> together with relevant statement as to the identity of the copy or copies with the sequence listing mentioned in left column <input type="checkbox"/> tables in electronic form related to sequence listing (indicate type and number of carriers) <ol style="list-style-type: none"> <input type="checkbox"/> copy submitted for the purposes of international search under Section 802(b-quater) only (and not as part of the international application) <input type="checkbox"/> (only where check-box (b)(ii) or (c)(ii) is marked in left column) additional copies including, where applicable, the copy for the purposes of international search under Section 802(b-quater) <input type="checkbox"/> together with relevant statement as to the identity of the copy or copies with the tables mentioned in left column <input checked="" type="checkbox"/> other (specify): International Search Report
request (including declaration sheets)	: 3																						
description (excluding sequence listings and/or tables related thereto)	: 20																						
claims	: 3																						
abstract	: 1																						
drawings	: 2																						
Sub-total number of sheets	: 29																						
sequence listing	:																						
tables related thereto (for both, actual number of sheets if filed on paper, whether or not also filed in electronic form; see (c) below)	:																						
Total number of sheets	: 29																						
<input type="checkbox"/> sequence listing																							
<input type="checkbox"/> tables related thereto																							

Figure of the drawings which should accompany the abstract:

Language of filing of the international application: German

Box No. X SIGNATURE OF APPLICANT, AGENT OR COMMON REPRESENTATIVE

Next to each signature, indicate the name of the person signing and the capacity in which the person signs (if such capacity is not obvious from reading the request).

Dr. Cornelia Hoffmann
Zusammenschluss Nr. 78

July 2, 2004 Hf/wm

For receiving Office use only

1. Date of actual receipt of the purported international application:		2. Drawings:	
3. Corrected date of actual receipt due to later but timely received papers or drawings completing the purported international application:		<input type="checkbox"/> received: <input type="checkbox"/> not received:	
4. Date of timely receipt of the required corrections under PCT Article 11(2):			
5. International Searching Authority (if two or more are competent): ISA /		6. <input type="checkbox"/> Transmittal of search copy delayed until search fee is paid	

For International Bureau use only

Date of receipt of the record copy by the International Bureau: